

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE BAYOU HEDGE FUND INVESTMENT	:	MDL No. 1755 (CM)
LITIGATION	:	
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THIS DOCUMENT RELATES TO:		
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BROAD-BUSSEL FAMILY LIMITED	:	No. 06 Civ. 3026 (CM)
PARTNERSHIP, MARIE LOUISE,	:	
MICHELSON, MICHELLE MICHELSON, and:	:	DECLARATION OF JOHN K.
HERBERT BLAINE LAWSON, JR., Individually	:	<u>VAN DE WEERT</u>
and on Behalf of All Other Persons and Entities	:	
Similarly Situated,	:	
	:	ELECTRONICALLY FILED
Plaintiffs,	:	
	:	
- against -	:	
	:	
BAYOU GROUP LLC, et al.,	:	
	:	
Defendants.	:	
	:	
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JOHN K. VAN DE WEERT, pursuant to 28 U.S.C. § 1746, declares and states as follows:

1. I am an attorney admitted to the Bars of the State of Illinois and the District of Columbia, admitted *pro hac vice* before this Court in the above-captioned matter, and associated with the law firm Sidley Austin LLP, counsel for defendant Citibank, N.A. (“Citibank”). I am familiar with the facts and circumstances set forth below, and I submit this Declaration in support of Defendant Citibank N.A.’s Motion for Entry of a Final Judgment Pursuant to Fed. R. Civ. P. 54(b).

2. Attached as Exhibit 1 is a true and correct copy of the Application Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure Directing the Production of Documents by the Debtors and Enforcement of Protective order Dated August 23, 2006, filed on March 27, 2007 in In re Bayou Group, LLC, et al., No. 06-22306 (ASH) (Bankr. S.D.N.Y.).

3. Attached as Exhibit 2 is a true and correct copy of the Subpoena *Duces Tecum* served on Citibank by Plaintiffs, dated March 2, 2007. Citibank served its written responses and objections, and responsive documents, on April 4, 2007.

4. Attached as Exhibit 3 is a true and correct copy of the register of docket entries from the proceedings in Broad-Bussel Family Ltd. P'ship, et al. v. Bayou Group LLC, et al., No. 3:05-CV-1762-JBA (D. Conn.), as printed from the ECF system on May 29, 2007.

5. Attached as Exhibit 4 is a true and correct copy of Plaintiffs' Memorandum of Law in Opposition to Defendant Citibank, N.A.'s Motion to Dismiss, filed on June 30, 2006.

6. Attached as Exhibit 5 is a true and correct copy of Citibank, N.A.'s Reply Memorandum of Law in Further Support of its Rule 12(b)(6) Motion to Dismiss, filed on July 17, 2006.

7. Attached as Exhibit 6 is a true and correct copy of a minute entry distributed by the Court's ECF system on February 21, 2007, reflecting proceedings before the Court during a February 15, 2007 hearing.

8. Attached as Exhibit 7 is a true and correct copy of the register of docket entries from the proceedings from March 27, 2007 through May 29, 2007 in In re Bayou Group, LLC, et al., No. 06-22306 (ASH) (Bankr. S.D.N.Y.), as printed from the ECF system on May 29, 2007.

9. Attached as Exhibit 8 is a true and correct copy of the Response to Statement and Limited Objection of the Debtors and Objections of Non-Debtor Third Parties in Response to Class Plaintiffs' Application Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure Directing the Production of Documents by the Debtors and Enforcement of the Protective Order Dated August 23, 2006, filed on April 20, 2007 in In re Bayou Group, LLC, et al., No. 06-22306 (ASH) (Bankr. S.D.N.Y.).

10. Attached as Exhibit 9 are true and correct copies of certain pages of the transcript of proceedings held on April 23, 2007 before Hon. Adlai S. Hardin in In re Bayou Group, LLC, et al., No. 06-22306 (ASH) (Bankr. S.D.N.Y.).

11. Attached as Exhibit 10 is a true and correct copy of a letter dated April 19, 2007 from Merrill G. Davidoff, counsel for Plaintiffs, to the Court.

12. I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 29, 2007 in the City of Washington, District of Columbia.

/s/ John K. Van De Weert
John K. Van De Weert

CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2007, a copy of the Declaration of John K. Van De Weert was filed electronically and served by U.S. mail, first class postage prepaid, on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ John K. Van De Weert
John K. Van De Weert